REMARKS

This application has been carefully reviewed in light of the Office Action mailed August 10, 2006 (the "Office Action"). Claims 1, 13, 25, 26, and 27 have been amended and no claims have been canceled. Therefore, Claims 1-2, 4, 6, 8-14, 16, 18, and 20-27 remain in the application of which Claims 1, 13, 25, 26, and 27 are the only independent claims. Applicant respectfully requests reconsideration and favorable action of all pending claims in view of the following remarks.

Rejections under 35 U.S.C. §103

Claims 1-2, 4-5, 13-14, 16-17, and 24-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,057,915 to Squire et al. ("*Squire*") in view of U.S. Patent No. 3,786,757 to Goldstein et al. ("*Goldstein*"). Applicant respectfully traverses this rejection for at least the reasons discussed below.

Applicant respectfully submits that the combination of Squire and *Goldstein* proposed by the Examiner fails to disclose, teach, or suggest the elements of the claims. For example, the Squire-Goldstein combination fails to disclose, teach, or suggest the following recited in Claim 1, as amended:

> pivotally coupling a housing to a post; and
> tilting, using a weight disposed on a lower end of the post, the post relative to the housing such that angular movement of the housing allows the beam to remain in a generally horizontal orientation.

Squire does not disclose, teach, or suggest this element. The detection system of *Squire* uses an elevation cam gear that causes its step and stare mirror to tilt when rotated by an elevation drive motor. (See *Squire*, column 7, lines 7-11). This arrangement does not allow the beam to be tilted using a weight disposed below a gimbal such that the beam remains in a generally horizontal orientation. Thus, *Squire* does not disclose, teach, or suggest tilting, using a gimbal configured with a weight disposed below the gimbal, the beam relative to a housing such that movement of the housing allows the beam to remain in a generally horizontal orientation.

Goldstein also does not disclose, teach, or suggest the element. The detection system of *Goldstein* incorporates a detection field forming element that produces two hollow conical

detection fields that are fixedly aligned with the longitudinal axis of a missile. (See *Goldstein*, column 3, lines 17-22). That is, tilting of either of the two detection fields relative to its housing is not possible using this configuration. Thus, *Goldstein* does not disclose, teach, or suggest tilting, using a gimbal configured with a weight disposed below the gimbal, the beam relative to a housing such that movement of the housing allows the beam to remain in a generally horizontal orientation.

Therefore, neither *Squire, Goldstein*, or any combination thereof disclose, teach, or suggest tilting, using a gimbal configured with a weight disposed below the gimbal, the beam relative to a housing such that movement of the housing allows the beam to remain in a generally horizontal orientation as claimed in Applicant's Claim 1. Accordingly, Claim 1 is patentable over *Squire* in view of *Goldstein*. Independent Claims 13, 25, 26, and 27 are patentable for analogous reasons, as are all claims depending therefrom. Reconsideration and favorable action are requested.
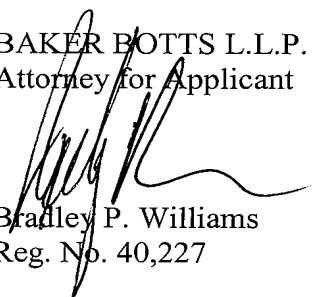
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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other apparent reasons, Applicant respectfully requests allowance of all pending Claims.

If the Examiner feels that prosecution of the present Application may be advanced in any way by a telephone conference, the Examiner is invited to contact the undersigned attorney at 214-953-6447.

Applicant does not believe that any fees are due. However, the Commissioner is hereby authorized to charge any required fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: 7|9|07

Customer Number: **45,507**